

Transmittal Letter To The United States Designated/Elected Office (DO/EO/US) Concerning A Filing Under 35 U.S.C. 371		Attorney Docket No.: 27599U U.S. Application No.: 10/590805 <small>Not Yet Assigned</small>
International Application No.: PCT/EP2005/050946	International Filing Date: MARCH 3, 2005	Priority Date Claimed: MARCH 3, 2004 DECEMBER 7, 2004
Title of Invention: NOVEL HETEROCYCLE-SUBSTITUTED HYDROXY-6-PHENYLPHENANTHRIDINES AND THEIR USE AS PDE4 INHIBITORS		
Applicants for DO/EO/US: KAUTZ, Ulrich		
Applicant hereby submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 USC 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input checked="" type="checkbox"/> The US has been elected (Article 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)): <ol style="list-style-type: none"> a. <input checked="" type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US) 6. <input type="checkbox"/> A English translation of the International Application as filed (35 U.S.C. 371(c)(2)). 7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). 		
ITEMS 11 to 20 BELOW CONCERN OTHER DOCUMENT(S) OR INFORMATION INCLUDED:		
<ol style="list-style-type: none"> 11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input checked="" type="checkbox"/> A FIRST preliminary amendment. 14. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A change of power of attorney and/or address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter2 and 35 USC 1821 - 1825 18. <input type="checkbox"/> A second copy of the published international application under 35 USC 154(d)(4) 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 USC 154(d)(4) 20. <input checked="" type="checkbox"/> Other items or information: TRANSMITTAL LETTER; APPLICATION DATA SHEET; INTERNATIONAL PUBLICATION NUMBER: WO 2005/090311 A1, WITH THE PCT/ISA/210 (INTERNATIONAL SEARCH REPORT); INTERNATIONAL PUBLICATION DATE: SEPTEMBER 29, 2005, WHICH CONSISTS OF 77 PAGES: 2 PAGES FOR THE COVER SHEET, WITH ABSTRACT, 65 PAGES OF TEXTUAL SPECIFICATION, 10 PAGES OF 17 CLAIMS, AND 0 SHEETS OF DRAWINGS; PRELIMINARY AMENDMENT WITH APPENDICES A, B, AND C, TO BE EXAMINED; UNEXECUTED DECLARATION AND POWER OF ATTORNEY; PCT/ISA/237 (WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY); PCT/IB/308 (FIRST NOTICE INFORMING THE APPLICANT OF THE COMMUNICATION OF THE INTERNATIONAL APPLICATION); PCT/IB/308 (SECOND AND SUPPLEMENTARY NOTICE INFORMING THE APPLICANT OF THE COMMUNICATION OF THE INTERNATIONAL APPLICATION); PCT/RO/101 (REQUEST); POSTCARD FOR THE EARLY NOTIFICATION OF THE SERIAL NUMBER REQUEST. 		

US Application No. Not Yet Assigned		107590805		International Application: PCT/EP2005/050946		Attorney Docket No.: 27599U			
The following fees are submitted:						CALCULATION		PTO USE ONLY	
21. <input checked="" type="checkbox"/> Basic National Fee (37 CFR 1.492(a)).....						\$ 300.00			
22. <input checked="" type="checkbox"/> Examination Fee (37 CFR 1.492 (c)) If the written opinion prepared by ISA/US or the International Preliminary Examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)						\$ 0.00			
All other situations						\$ 200.00			
23. <input checked="" type="checkbox"/> Search Fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the International Preliminary Examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)						\$ 0.00			
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority						\$ 100.00			
International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB						\$ 400.00			
All other situations						\$ 500.00			
Total of 21, 22 and 23						\$ 900.00			
_ Additional fee for specification and drawings filed in paper over 100 sheets (excluding Sequence listing or computer program listing filed in an electronic medium). The fee is \$ 250.00 for each additional 50 sheets of paper or fraction thereof.									
Total Sheets		Extra Sheets		# of each additional 50		RATE			
104-100 =		4 / 50 =		1		X \$250		\$ 250.00	
_ Surcharge of \$130.00 for furnishing the oath or declaration later than 20 30 months from the earliest claimed priority date (37 CFR 1.492(e)).									
CLAIMS		# FILED		# EXTRA		RATE			
TOTAL		15-20=		0		X \$50			
INDEPENDENT		1-3=		0		X \$200			
Multiple dependent claims (if applicable)						+ \$360			
TOTAL OF ABOVE CALCULATIONS =						\$ 1,150.00			
_ Applicant claims small entity status. Fees above are reduced by 1/2.									
SUBTOTAL =						\$ 1,150.00			
_ Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).									
TOTAL NATIONAL FEE =						\$ 1,150.00			
_ Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +									
TOTAL FEES ENCLOSED =						\$ 1,150.00			
						Amount to be: refunded		\$	
						Amount to be: charged		\$	

U.S. Application No.: Not Yet Assigned 107590805	International Application: PCT/EP2005/050946	Attorney Docket No.: 27599U
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a. ☒ A check in the amount of **\$ 1,150.00** to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account Number: 14-0112 in the amount of \$ _____ to cover the above fees.
(A duplicate copy of this sheet is enclosed.)


c. ☒ The Commissioner is hereby authorized to charge any additional fees, which may be required, or credit any overpayment to Deposit Account Number: 14-0112.

d. ☐ Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit Card Information should not be included on this form. Provide credit card information and authorization on PTO-2038

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed to request that the application be restored to pending status.

Send All Correspondence To:

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Date: August 25, 2006 By: 
Gary M. Nath, Reg. No. 26,965
Sheldon M. McGee, Reg. No. 50,454
Customer No. 34375

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

KAUTZ, Ulrich

Application No.: Not Yet Assigned

Filed: August 25, 2006

Intl. Application No.: PCT/EP2005/050946

Intl. Filing Date: March 3, 2005

Title: **NOVEL HETEROCYCLE-SUBSTITUTED HYDROXY-6-PHENYLPHENANTHRIDINES AND THEIR USE AS PDE4 INHIBITORS**TRANSMITTAL LETTERCommissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

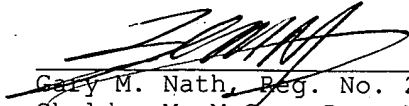
- 1) Application Data Sheet;
- 2) Transmittal Letter to U.S. Designated/Elected Office (DO/EO/US) Concerning Filing Under 35 U.S.C. 371;
- 3) International Publication Number: WO 2005/090311 A1, with the PCT/ISA/210 (International Search Report); International Publication Date: September 29, 2005, which consists of 77 pages:
 - 2 pages for the Cover Sheet, with Abstract,
 - 65 pages of Textual Specification,
 - 10 pages of 17 Claims, and
 - 0 sheets of Drawings;
- 4) **Preliminary Amendment with Appendices A, B, and C, to be Examined;**
- 5) Unexecuted Declaration and Power of Attorney;
- 6) PCT/ISA/237 (Written Opinion of the International Searching Authority);
- 7) PCT/IB/308 (First Notice Informing the Applicant of the Communication of the International Application);
- 8) PCT/IB/308 (Second and Supplementary Notice Informing the Applicant of the Communication of the International Application);
- 9) PCT/RO/101 (Request);
- 10) Check No.: 2172 in the Amount of **\$ 1,150.00** for Basic Filing Fee, which includes the Search and Examination Fees (\$900), and for the application size fee surcharge (\$250), as a **Large Entity**;
- 11) Postcard for Early Notification of the Serial Number Request.

The Commissioner is hereby authorized to charge any deficiency or credit any excess to Deposit Account No. 14-0112.

Respectfully submitted,
NATH & ASSOCIATES PLLC

Date: August 25, 2006

By:


 Gary M. Nath, Reg. No. 26,965
 Sheldon M. McGee, Reg. No. 50,454
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